
SUBSTITUTE HOUSE BILL 1929

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Technology, Energy & Communications (originally sponsored by Representatives Hurst, Morris and Kenney)

READ FIRST TIME 02/20/07.

1 AN ACT Relating to authorizing utilities to engage in environmental
2 mitigation efforts; adding a new section to chapter 35.92 RCW; adding
3 a new section to chapter 54.16 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds and declares that
6 greenhouse gases offset contracts, credits, and other greenhouse gases
7 mitigation efforts are a recognized utility purpose that confers a
8 direct benefit on the utility's ratepayers. The legislature declares
9 that this act is intended to reverse the result of *Okeson v. City of*
10 *Seattle* (January 18, 2007) by expressly granting municipal utilities
11 and public utility districts the statutory authority to engage in
12 mitigation activities to offset their utility's impact on the
13 environment.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.92 RCW
15 to read as follows:

16 (1) A city or town authorized to acquire and operate utilities for
17 the purpose of furnishing the city or town and its inhabitants and
18 other persons with electricity for lighting and other purposes may

1 develop and make publicly available a plan to reduce its greenhouse
2 gases emissions or achieve no-net emissions from all sources of
3 greenhouse gases that the utility owns, leases, uses, contracts for, or
4 otherwise controls.

5 (2) A city or town authorized to acquire and operate utilities for
6 the purpose of furnishing the city or town and its inhabitants and
7 other persons with electricity for lighting and other purposes may, as
8 part of its utility operation, mitigate the environmental impacts, such
9 as greenhouse gases emissions, of its operation and any power
10 purchases. The mitigation may include, but is not limited to, those
11 greenhouse gases mitigation mechanisms recognized by independent,
12 qualified organizations with proven experience in emissions mitigation
13 activities. Mitigation mechanisms may include the purchase, trade, and
14 banking of greenhouse gases offsets or credits. If a state greenhouse
15 gases registry is established, a utility that has purchased, traded, or
16 banked greenhouse gases mitigation mechanisms under this section shall
17 receive credit in the registry.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 54.16 RCW
19 to read as follows:

20 (1) A public utility district may develop and make publicly
21 available a plan for the district to reduce its greenhouse gases
22 emissions or achieve no-net emissions from all sources of greenhouse
23 gases that the district owns, leases, uses, contracts for, or otherwise
24 controls.

25 (2) A public utility district may, as part of its utility
26 operation, mitigate the environmental impacts, such as greenhouse gases
27 emissions, of its operation and any power purchases. Mitigation may
28 include, but is not limited to, those greenhouse gases mitigation
29 mechanisms recognized by independent, qualified organizations with
30 proven experience in emissions mitigation activities. Mitigation
31 mechanisms may include the purchase, trade, and banking of greenhouse
32 gases offsets or credits. If a state greenhouse gases registry is
33 established, a public utility district that has purchased, traded, or
34 banked greenhouse gases mitigation mechanisms under this section shall
35 receive credit in the registry.

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